

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
NO. 3:19-cv-110-GCM**

RONALD E. DAVIS, JR.,

Plaintiff,

v.

**MEGAN J. BRENNAN, Postmaster
General,**

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion to Dismiss, or, in the alternative, Motion for Summary Judgment (collectively, "Motions") (Doc. No. 10). On October 30, 2019, the Court granted Plaintiff leave to file an amended complaint. (Doc. No. 24). Plaintiff did so on November 15, 2019. (Doc. No. 25). Accordingly, Defendants' Motions that were directed at the original Complaint are moot. *See Young v. City of Mount Ranier*, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); *Turner v. Kight*, 192 F. Supp. 2d Case 3:18-cv-00580-GCM, 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint). Thus, Defendant's Motions are **DENIED** without prejudice. Defendant may refile with respect to Plaintiff's Amended Complaint. **SO ORDERED.**

Signed: December 3, 2019



Graham C. Mullen
United States District Judge

